## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---|---|
| In re Application of: | ) Group Art Unit: |
| | ) |
| Kevin McPartlan et al. | ) Examiner: |
| | ) |
| Serial No.: 10/633,018 | ) **DECLARATION OF KEVIN** |
| | ) **MCPARTLAN FOR DISCLOSURE OF** |
| Filed: July 31, 2003 | ) **INFORMATION UNDER 37 C.F.R. §§1.56** |
| | ) **AND 1.97** |
| For:  **ESCLATED HANDLING OF NON-** | ) |
| **REALTIME COMMUNICATIONS** | ) 162 North Wolfe Road |
| | ) Sunnyvale, CA  94086 |
| | ) (408) 530-9700 |

Assistant Commissioner for Patents
Washington, D.C. 20231


Sir:


1.     My name is Kevin McPartlan.  I am a named inventor of the invention described in the above-identified patent application.  Nuasis Corporation is the assignee of the above-identified patent application.  The present invention is for Escalated Handling of Non-realtime Communications.


2.     I am personally aware of previous different solutions to a problem similar to that solved by the present invention.  I believe there may be publicly available documents related to that previous solution.


3.     I am personally aware that Kana and eGain have built capabilities to display a message to an e-mail "supervisor" if a message was not handled by one of the e-mail agents within a certain time period.  These capabilities do not do an escalation based on other criteria such as business value, nor have they had the ability to blend e-mail message with other media channels.

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4.    I am not aware of any patents related to the product described in paragraph three.

5.    I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Further, these statements were made with the knowledge that willful false statements and the like are punishable by fine and imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Respectfully submitted,

Dated: 10/0/03          By: _____
                            Kevin McPartlan

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